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University of Oregon EUGENE

THE LAW SCHOOL

CATALOG 1916-1917
Announcements 1917-1918



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UNIVERSITY OF OREGON
EUGENE

THE LAW SCHOOL

C A T A L O G 1916-1917
Announcements 1917-1918

EUGENE
UNIVERSITY PRESS
1917

CALENDAR

September 11 to February 1—First semester.

February 4 to June 7—Second semester.

December 22, Saturday, to January 8, Tuesday—Christmas vacation.

January 28, Monday—Mid-year examinations begin.

April 6, Saturday, to April 14, Sunday—Spring vacation.

May 30, Thursday, to June 3, Monday—Commencement week.

June 4, Tuesday—Final examinations begin.

THE FACULTY

P. L. CAMPBELL, A. B., LL. D.
President

EDWARD WILLIAM HOPE, Ph. D.
Dean and Professor of Law

JAMES DUFF BARNETT, Ph. D.
Professor of Law

RALPH SCOTT HAMILTON, LL. B.
Professor of Law

ROBERT PATTERSON REEDER, LL. M.
Professor of Law

MR. E. R. BRYSON
Of the Lane County Bar
Lecturer on Oregon Practice and Procedure

M. H. DOUGLASS, A. M.
Librarian of the University

F. P. FARREL, L. R. HURD, M. H. McKEY
Assistants in the Law Library

HISTORICAL STATEMENT

The Law School of the University of Oregon was, until the month of April, 1915, a school situated in Portland, where the work was conducted by means of evening classes. Beginning with the fall term of 1913, however, first year courses in law were organized on the campus of the University, at Eugene, and some twenty-four students were enrolled under Professor Edward W. Hope, who was, during this first year, the only law instructor. For the first semester, instruction was largely according to the "text-book" method, supplemented by a limited number of cases prepared and discussed by the instructor. Beginning with the second semester of this year, a distinct change was made from this unsatisfactory method to the so-called "case-system," which has been almost universally adopted by the best law schools of the country, led by Harvard, and is now recognized by American as well as by foreign critics as being the best and most scientific way of studying the law. It has been fitly termed the "laboratory" method. The subjects taught this year were Contracts, Criminal Law, Persons and Domestic Relations, Agency, Sales of Personal Property, Bailments and Carriers, and Partnership. A course of popular lectures in Newspaper Jurisprudence was also given before the students of the Department of Journalism.

The fall of 1914 saw the continuance and development of the new method, which had shown excellent results in the previous year, both as respects substantial knowledge gained and the much greater interest awakened in the students. This year a second instructor was added, and courses were given in Contracts, Criminal Law, Torts, Introduction to Property, Common Law Pleading, Persons and Domestic Relations, Equity Jurisprudence, and Evidence. During both these years the regular courses in Public Law (Constitutional Law, International Law, and Law of Officers) were given as usual by Professor James D. Barnett, of the Department of Political Science, and these subjects will continue to be given by Dr. Barnett as an important part of the work of the Law School.

In April, of 1915, the Board of Regents of the University, at a special meeting called for that purpose, authorized the addition of a third year, and the employment of a faculty adequate for the complete three-year curriculum. The Law School, thus fully organized by them on the University campus at Eugene, became from then the regular and officially recognized Law School of the University of Oregon, ranking as a strictly graduate department, and empowered to confer the law degrees of LL. B. and J. D. upon its graduates.

THE QUARTERS OF THE LAW SCHOOL

During the month of November, 1916, the Law School moved into the commodious quarters awarded to it on the third floor of the new Educational Building, of which it occupies about two-thirds of the floor space. This space is divided into three comfortable recitation rooms, well lighted and ventilated; the stack-room of the Law Library, where the students study in the midst of the books; and the five offices of the Law Faculty, all opening into the stack-room. The arrangements are extremely convenient, offering to all ease and quickness of reference to the books, and a quiet retreat where law students may read the law without interruption or distraction of any kind. The whole building is steam heated and modern in every respect.

THE LAW LIBRARY

The Law Library is arranged with the principal idea of offering to the students and faculty an immediate and easy access to the law books. The library is the back-bone of a law school, and no pains have been spared to make this library an ideal study place. The library is in charge of student assistants, three being appointed from the law student body. These men are selected on the basis of scholarship and character, and each receives a small yearly stipend. However, the students themselves, as men of maturer years and professional interests, maintain perfect order, and are quick to correct any breach of library etiquette. In addition to about one thousand well selected text-books, encyclopedias, digests, pamphlets and monographs bearing on the law, the Law Library now has on its shelves the following valuable sets: The Lawyers' Reports Annotated (old and new series); the so-called "Trinity Series," consisting of the American Decisions, American Reports, and American State Reports; American and English Cases Anno-

tated; the American Digest complete; the American and English Encyclopedia of Law; Cyclopedia of Law and Procedure ("Cyc"); Corpus Juris, as far as published; Ruling Case Law, as far as published; two sets of the Oregon Supreme Court Reports, together with several sets of Montague's Oregon Digest; Lord's Oregon Laws and Session Laws (a full set of the session laws of Oregon is kept in the general library of the University); Words and Phrases Judicially Defined, and other dictionaries. The following books have been contracted for and will be here by spring: The United States Supreme Court Reports; Rose's Notes on U. S. Reports (latest edition); Mitchie's U. S. Encyclopedic Digest of U. S. Reports; the United States Statutes; the Pacific Reporter and the various State Reports that precede this set. The Library already contains the following important law periodicals and reviews: the American, California, Columbia, Harvard, Illinois, Michigan, Pennsylvania and Law Reviews; Law Quarterly Review; Massachusetts Law Quarterly; Yale Law Journal; American Journal of International Law; Case and Comment; American Law School Review; Legal Aid Review; Central Law Journal. Others will be added later.

The study tables for students are of quartered oak, and seat about thirty. Each student has his own electric lamp.

PURPOSES OF THE LAW SCHOOL

The course of instruction extends through three full academic years. The Law School has practically supplanted the law office as a place of preparation for the practice of law. It is obvious that systematic instruction by experienced teachers will result not only in a more thorough, but a more speedy, preparation for the bar, than is possible through the more desultory reading in a busy law office. The object of the school is to afford a thorough practical and scientific education in the principles of the Common and Statute Law of the United States, the English and American System of Equity Jurisdiction, and the Public Law of the United States. Later it is intended to add to this courses in the Civil Law of Rome, and in Theoretical and Comparative Jurisprudence. It is believed that students should not only be fitted as completely as possible for the actual practice of law and the conduct of public affairs, but also, stimulated toward real scholarship and research. In order to accomplish these purposes, the mere accumulation of information is subordinated to the far more important end of developing the faculties of the student and of

training him in habits of legal reasoning, at the same time imparting a thorough knowledge of the law as it actually is.

The method chiefly employed is that of free discussion by the professor and students of selected cases and other authorities, with the view of arriving at the principles of law by the process of inductive reasoning.

DIRECTIONS TO CANDIDATES FOR ADMISSION

Before applying for admission to the Law School, the candidate is required to present to the Dean of the Law School the Registrar's receipt for the payment of the semester fee. It is essential, therefore, that a candidate for admission should apply first to the Registrar, register his name as a student in the Law School, and then pay his fees to the Treasurer. He is then entitled to apply for admission, and, in case of rejection, the money paid will be refunded by the Treasurer.

REQUIREMENTS FOR ADMISSION

Applicants for admission to the first year class must be at least nineteen; to the second year class, twenty, and to the third year class, twenty-one years of age. Special students must have qualifications to be stated hereafter. Every applicant for admission, whether as a regular or as a special or a partial student, must present a certificate of character. This may be in the form of a certificate of graduation, or of honorable dismissal from the school with which the applicant was last connected, or, in the case of special students who cannot present these, in the form of a general letter as to character.

WHEN STUDENTS MUST ENTER

Students may enter at the beginning of either semester, but for students not entering upon advanced standing, a full three years of residence is required to complete the course. In any case students are expected to enroll at the opening of the session. Those who enter late necessarily lose much of the work, and absences at that time are treated like other absences in reducing the number of hours of credit that may be earned. In no event can students who present themselves more than a month after the opening of any session be permitted to work for credit toward graduation during that session.

Candidates for advanced standing must present themselves for examination one week before the opening of the Law School.

ADMISSION AS CANDIDATES FOR A DEGREE

Graduates of approved universities or colleges and students who, in addition to an academic or high school course of four years, have completed two full years (sixty semester hours) of work in an approved university or college, are admitted to the Law School as candidates for the degree. The Law School does not **require** any particular subjects to be selected during the necessary two years of college work, but it **earnestly recommends** that the subjects specified in the Pre-Legal Curriculum (hereinafter set forth) be pursued. Work of high school or academic grade taken during the college year will not be accepted as meeting the requirements of a college year. College courses in which there are unremoved conditions or other deficiencies will not be accepted.

In all cases the applicant should present to the Dean of the Law School, before the time of application, evidence that he comes within some one of the classes named. This, in the case of a university or college graduate, should be in the form of a certificate of graduation; in the case of other applicants, in the form of a certificate showing in detail the conditions of admission and the university or college work accomplished, and including an honorable dismissal signed by the proper authority.

In any case all preparatory work must be completed before entering upon law study, and no collegiate work whatever may be taken thereafter except by special permission of the Dean of the Law School.

TWO-YEAR COURSE

(Preliminary to the study of Law.)

It is a noticeable tendency of the times to require a more thorough preparation for all the professions. In none is this tendency more marked than the profession of law. Therefore, every student who expects to enter this department is urgently recommended to secure as thorough a collegiate course as his circumstances will permit. A two-year course of studies, termed the Pre-Legal Curriculum, has been arranged for those who cannot take the full collegiate course in preparation for their professional work in law. Its purpose is to concentrate and thus conserve the student's energies by directing his efforts into fields which, while affording most valuable cultural results, will at the same time, it is thought, best prepare his mind to deal effectively with the law as student and practitioner. To this end the following course is suggested by the University under the direction of the Law School:

PRE-LEGAL CURRICULUM

First Year—

English Composition	6 hours
History (English and American).....	6 hours
Chemistry	6 hours
Mathematics	6 hours
Latin (beginners' course)	8 hours
Elementary Law (required of all law students)	6 hours
Economics	4 hours
Physical Training	

Second Year—

Latin	4 hours
Physics	6 hours
American Government	3 hours
Psychology	3 hours
French or German	8 hours
Economics	6 hours
History of Philosophy	6 hours
Logic	2 hours
Rhetoric	3 hours
Public Speaking	2 hours
Physical Training	

A selection from the above subjects should be made to the extent of at least sixteen semester hours. Eighteen hours may be taken if the grades obtained warrant this privilege.

If, after completing this two-year course, the student desires further preparation in liberal arts before beginning his professional studies, he may either continue through the regular courses of the junior or senior years of the College of Arts and Sciences, or after adding another year to the Two-Year Pre-Legal Course non-completed, he may enter the combined six year course in Arts and Law, with the aim of obtaining his collegiate and law degrees in six years, thus shortening by one year a period of study usually covering seven. For this third year's work the student should take additional courses in History, Natural Science, Philosophy, Political Science, Economics or Sociology, and English Literature.

COMBINED SIX-YEAR COURSE IN ARTS AND LAW

This combined course is open only to students who have maintained a uniformly good record for scholarship during the first three years of Arts and Sciences.

The student is enrolled in the College of Arts and Sciences during the first three years. If at the end of three years he has a uniformly good record for scholarship, and has earned in addition to the credits gained in the Pre-Legal Curriculum enough more to bring his total number of credits up to ninety-six, he may at the beginning of his fourth year enter the Law School forthwith for the first year's work in Law. From that time on he must devote his entire time and attention to the study of the law, and in this first year of law study he must earn at least twenty-four semester hours to apply on his A. B. degree, thus making the one hundred and twenty credits required for the A. B. degree. This degree will be granted upon the satisfactory completion of the first year subjects in Law.

DEGREES

The Degree of Bachelor of Laws—

Students who have successfully completed the Two-Year Pre-Legal Curriculum of this University, or an equivalent two years of general culture study in this or another institution of recognized collegiate rank, and who have successfully completed courses in law aggregating seventy-five credits (the equivalent of three full years of professional study of law), and who have otherwise satisfied the requirements of the University and of the Law School, will be granted the degree Bachelor of Laws (LL. B.).

Special students who have maintained over the full three years of their law course at this school an average mark of S, and who by reason of exceptional ability and character are, in the opinion of the Law Faculty, deserving of this honor, may be granted the degree of Bachelor of Laws.

The Degree of Doctor of Law—

The degree of Doctor of Law (J. D.) will be granted to students who have received the degree of Bachelor of Arts, or its equivalent, from this University, or from some other institution of recognized collegiate rank, and who have satisfactorily completed courses in law aggregating seventy-five credits (the equivalent of three full years of professional study of law), and who have otherwise satisfied the requirements of the University and of the Law School. Since one year of law study may be counted toward the degree of Bachelor of Arts, the requirements for the degree of Doctor of Law may be satisfied by the successful completion of the Combined Six-Year Course in Arts and Law.

The foregoing statement as to the requirements for degrees are subject to the following rules:

1. To be a successful applicant for the degree of Doctor of Law a student must have obtained over the full three-years' law course a minimum average of **S**.
2. Any student who fails to obtain a minimum average of **M** over the full three years of his law course shall not be graduated.
3. No degree will be conferred upon any student who has not spent at least one year in resident study at this University.

REGULATIONS

To receive credit in any course in the Law School, a student must obtain a minimum grade averaging **P**, based upon his daily recitations and whatever examinations are given in the course, including the final examination. In estimating this average the examination will count two-thirds and the classroom work one-third. The right to take the final examination is conditioned upon regular attendance and the maintenance of the required grade for class work. No student may register for more than fifteen hours of law per week.

Students from other institutions entering this University upon advanced standing may take advantage of the **Combined Six-Year Course in Arts and Law**, provided they are registered in the Department of Arts and Sciences for at least one year before taking up law courses, and earn in that department at least thirty hours before entering upon the law work.

ADMISSION OF SPECIAL STUDENTS

Persons of mature age, but whose preliminary training has not been sufficiently extensive to satisfy the requirements for admission as regular students, may, in some cases, be admitted as special students. Applicants for admission under this rule must submit to the Dean recommendations as to character and evidence of the possession of general education, maturity, experience, and exceptional ability that may be considered a fair equivalent of the formal preliminary requirements made in the case of regular students.

No one should present himself for admission as a special student until he has first received from the Dean assurance that his application has been favorably acted upon. Special

students will be required to pursue and complete the courses to which they are admitted with the same thoroughness as regular students. Certificates will be given to special students who have been in residence for a semester, stating the subjects pursued and the standings attained.

ADMISSION OF PARTIAL STUDENTS

Persons who have been enrolled for at least one year in some school or department of the University other than the Law School, and have earned therein at least thirty credits, and who desire to study law as a preparation for business, not intending to practice law, and not being candidates for a law degree, may pursue in the Law School, without payment of fees, not to exceed two law courses a semester.

STATUS OF STUDENTS

(Regular, Special and Partial)

A **regular** student is one who is regularly admitted to the Law School, and who is a candidate for a degree.

A **special** student is one who is regularly admitted to the Law School, but who, not being a candidate for a degree, does not take the regular course.

A **partial** student is one who is not regularly admitted to the Law School, but who attends one or more courses.

ADMISSION TO ADVANCED STANDING

Admission to advanced standing is either upon examination or certificate from a law school of standard grade. Persons who have the necessary qualifications for admission to the Law School, and who have satisfactorily completed work in an approved law school, may, upon presentation of a certificate of scholarship and of honorable dismissal from such school, become candidates for advanced standing in this Law School to the extent of the work so completed. The certificate should show the nature of the work, the time it was pursued, the text or case books used and the grades received. Under similar conditions attorneys at law in good and regular standing from any state in which an adequate examination for admission to the bar is required may apply for one year's advanced standing (upon examination) in the Law School.

All candidates for advanced standing should secure the above-mentioned certificates of preparatory work and of legal study and send them to the Dean of the Law School before presenting themselves for admission.

EXAMINATIONS

Written examinations are held at the end of each half-year on the subjects completed during that half-year.

All students, unless excused by the Dean, must present themselves for examination in all the subjects for which they are registered at the examination held therein, and, in case of excuse from examination, must take the next examination offered in such subject. A student permitted to take a deferred examination must pay a fee of five dollars as for a deficiency examination.

No student will be admitted to the second-year class who is deficient in more than four hours of the work of the first year. No student will be admitted to the third-year class who is deficient in any subject of the first year, or in more than one full course, or in more than two half-year courses of the second year.

No student failing in any subject will be permitted to take a second examination therein without having again taken the course in which such failure occurred, nor will any student failing a second time in any subject be allowed to continue in the Law School except by special vote of the Law Faculty.

No special examinations are given.

TUITION AND FEES

The tuition for all regular and special students shall be fifteen dollars a semester. This is in addition to the annual registration fee of ten dollars and the annual student body fee of eight dollars. All fees are payable in advance. Students permitted to register late are required to pay the full charge for tuition for the half-year in which they register, and in addition the fines levied in such cases by the College of Arts and Sciences.

For any deficiency examination or deferred examination a fee of five dollars for each course in which such examination is granted shall be charged, payable in each case before the examination is held.

There shall be a graduation or diploma fee of ten dollars payable to the Treasurer of the University at least twenty-five days prior to the date of graduation.

COURSES OF INSTRUCTION

The Courses of Instruction are arranged to present, as far as possible, the fundamental topics of the law during the first year, and the more specialized subjects during the second and third years.

The Law School has been fortunate in securing Mr. E. R. Bryson, of the Lane County Bar, to give a course of instruction throughout the year in the practical art of the advocate as it has been developed in Oregon. It cannot be brought home too often or too forcibly to the young men of Oregon that they must lose much by going outside of Oregon to study law, if they intend to practice in this state. They will lose not only the value of the almost daily references to important Oregon decisions and statutes, familiarizing them with the substantive law of this state, but quite as important a loss and handicap will be suffered by their having deprived themselves of that skill and confidence in the preparation and trial of cases which a thorough course in the procedure and practice peculiar to Oregon would have imparted. (See Course 31.)

The curriculum extends through three years, and to secure a degree the student must complete seventy-five hours of work. No candidate for a law degree may take less than twelve nor more than fifteen hours per week in any semester, without special permission of the Dean. The work of the first year in the Law School is prescribed.

The following is a statement of the work offered in the Law School:

FIRST YEAR

1. **Contracts.** Formation of simple contracts; mutual assent; consideration; formation of contracts under seal; delivery; consideration. Parties affected by contracts; contracts for the benefit of third persons; assignment of contracts; joint obligations. The Statute of Frauds; contracts within the statute; guarantees, agreements in consideration of marriage, agreements not to be performed within a year, contracts for the sale of goods; satisfaction of the Statute Performance of contracts: express conditions, conditions precedent and subsequent; implied conditions and effect of plaintiff's failure to perform his promise; impossibility. Illegal contracts: contracts in restraint of trade; wagers and gaming contracts; contracts obstructing the administration of justice; contracts tending to corruption. Discharge of contracts: parol agreement to discharge; novation; release; accord and satisfaction; arbitration and award; surrender and cancellation; alteration; merger. Williston, Cases on Contracts (two vols.). Professor Hope.

Three hours, both semesters.

2. **Criminal Law and Procedure.** Nature of crime; sources of criminal law; mental element in crime; intent and motive;

parties in crime; crime as an act; attempts; specific crimes; crimes against the person; crimes against the dwelling house; felonious intent; jurisdiction. Beale, *Cases on Criminal Law* (2d ed.). Professor Hamilton.

Three hours, second semester.

3. **Tor's.** Trespass to person, to real property, and to personal property; excuse for trespass; conversion; legal cause; negligence; contributory and imputed negligence; plaintiff's illegal conduct as a defense; duties of land owners; hazardous occupations; liability for animals; deceit; defamation, slander, libel, privilege, malice; malicious prosecution, criminal and civil; interference with social and business relations, including breaches of duty, fair and unfair competition, strikes, boycotts, business combinations. Ames and Smith, *Cases on Torts* (ed. 1909-1910). Professor Reeder.

Three hours, both semesters.

4. **Property 1.** Distinction between real and personal property; acquisition of rights in personal property; gifts; bailments; liens, pledges. Real property; tenures; estates; seisin and conveyance; incidents of ownership in real property; fixtures; easements; covenants as to use; public rights; franchises; rents. Gray, *Cases on Property*, vols. 1, 2 (2d ed.). Professor Hamilton.

Three hours the first, two hours the second semester.

5. **Common Law Pleading.** This course consists of a general survey of the principles of common law pleading with special emphasis upon the demurrer, confession and avoidance, and the traverse, followed by a special study of the more common forms of actions, including the necessary obligations therein, and the methods of pleading defenses. Whittier, *Cases on Common Law Pleading*. Professor Hamilton.

Three hours, first semester.

6. **Agency.** Nature of relation; appointment; liability of principal for agent's torts, contracts, crimes; liabilities of agent; parties to writings; undisclosed principal doctrines; delegation of agency; termination; ratification. Huffcut, *Cases on the Law of Agency* (2d ed.). Professor Reeder.

Three hours, second semester.

SECOND YEAR

7. **Equity 1—Contracts and Torts.** The origin, development, maxims, principles and doctrines of equity; relation between equitable rights and powers and legal rights and powers; juris

diction, procedure and remedies of courts of equity; the equitable relations and remedies involved in obligations *ex contractu* and obligations *ex delicto* considered with respect to their interplay with the corresponding legal relations and remedies; specific performance of contracts, with emphasis on the special trust relations arising under executory contracts between vendors and purchasers of realty; specific prevention and reparation of torts; prohibitory and mandatory injunctions for such torts as waste, trespass, nuisance, infringement of patents and copyrights, interferences with business relations, violations, violation of rights of privacy. Ames, *Cases in Equity Jurisdiction*, vol. 1. Professor Hope. *Three hours, first semester.*

8. **Equity 2—Trusts.** Nature and requisites of a trust; express, resulting, and constructive trusts; charitable trusts; appointment and office of trustee; nature of cestui's interest; transfer of trust property by trustee or by cestui; cestui's interest as affected by death, marriage, or bankruptcy of trustee or cestui; duties of trustee; extinguishment of trust; removal or resignation of trustee; accounting. Ames, *Cases on Trusts* (2d ed.). Professor Reeder.

Three hours, first semester.

9. **Evidence.** Respective functions of judge and jury; "law and fact"; presumptions; burden of proof; judicial notice; classification of evidence; relevancy as primary test of admissibility; principles and rules relating to the following: misleading or unimportant matters, character, admissions, confession, hearsay, witnesses' opinion and expert testimony, real evidence, evidence relating to execution, contents and interpretation of writing; various rules of substantive law stated in terms of "parol evidence rule"; competency of witnesses; privilege of witnesses; examination of witnesses. Thayer, *Cases on Evidence* (2d ed.). Professor Hope. *Two hours, both semesters.*

10. **Sales of Personal Property.** Subject matter of sale; executory and executed sales; bills of lading and *jus disponendi*; seller's lien and right of stoppage in transitu; fraud; factors' acts; warranty and remedies for breach of warranty; statute of frauds. Woodward, *Cases on Sales*. Professor Hope.

Three hours, second semester.

11. **Public Service and Carriers.** Brief survey of bailments in general. Common law duties and liabilities of those who are engaged in public service, statutory regulation of services and charges and the validity of such regulations. Common carriers of goods and passengers at common law and under federal and

state legislation. Burdick, Cases on Public Service; McClain, Cases on Carriers, (3d ed.). Professor Reeder.

Four hours, first semester.

12. **Persons and Domestic Relations.** Marriage: consent and capacity; marriage as a contract or relation; rights and duties; rights in property; contracts, conveyances, quasi-contractual obligations; wife's estates; ante-nuptial and post-nuptial settlements; separation and divorce. Parent and child; legitimacy, adoption, custody, support, earnings of child; liability for child's torts. Guardian and ward: selection and appointment of guardians; jurisdiction to appoint; rights, duties and liabilities of guardian; maintenance of ward; domicile; care of property and investments; guardians' bonds. Infants: period of infancy; privileges and disabilities; contracts; liabilities for necessities; ratification and disaffirmance of contracts. Persons non compos mentis, and aliens. Master and servant: creation and termination of the relation; remedies for breach of contract; rights and duties inter se; master's liability for injuries to servant; negligence and assumption of risk. Kales, Cases on Persons, and Vernier, Cases on Marriage and Divorce. Professor Reeder. *Two hours, second semester.*

13. **Bills and Notes.** This course deals with negotiable paper of all types. The law of checks, bills of exchange and notes is taken up, with a detailed discussion of: formal requisites; acceptance; indorsement; transfer; extinguishment; obligation of parties; diligence; specialty character; the effect of the negotiable instruments law. Case-book to be announced. Professor Reeder. (Not given in 1917-18.)

Three hours, second semester.

14. **Property 2.** This course continues the subject as concluded by Property 1 by which it must be preceded, and includes during the first semester a detailed study of title to land, especially in relation to possession and the subject of landlord and tenant. The following topics are considered: Nature and importance of legal possession; remedies to recover legal possession wrongfully withheld; effect of statutes of limitations; tacking of successive periods of adverse possession; "constructive" adverse possession under color of title; intent as element of title to legal possession; possession through occupation of a servant of agent; possession through occupation of a tenant; relationship of landlord and tenant compared with rights and liberties of persons in various other relations; possession through a co-tenant's occupation; exceptions and interruptions to run-

ning of statutes of limitations. Creation of relationship of landlord and tenant; duration of tenant's interest; eviction and its effects; remedies of landlord for non-performance of tenant's obligations; remedies of tenant against landlord; covenants running with the land between landlord and tenant; rights, liberties and duties of landlord with respect to third persons; rights, liberties and duties of tenant with respect to third persons. During the second semester the course covers the acquisition of property on the death of the former owner, including consideration of gifts *causa mortis*, wills, probate, and administration. Gray, Cases on Property, vols. 3, 4 (2d ed.). Professor Hamilton.

Two hours, both semesters.

15. **Damages.** Respective functions of court and jury in estimating damages; exemplary, liquidated, nominal, direct, and consequential damages; avoidable consequences; counsel fees; certainty, compensation, damages for non-pecuniary injuries; value; interest; and damages in certain actions of tort and contract. Beale, Cases on Damages. Professor Hamilton.

Two hours, first semester.

16. **Insurance.** A general survey of insurance law, life, accident, fire and marine insurance, with respect to: insurable interest; concealment; misrepresentation; warranties; other causes of invalidity of contract; amount of recovery; subrogation; conditions; waiver, estoppel, election, and powers of agents; assignees and beneficiaries. Under marine and fire insurance will be included a thorough consideration of the doctrine of general average, and the standard fire policy generally adopted in the United States. Wambaugh, Cases on Insurance. (Not given 1917-18.)

17. **Bankruptcy and Insolvency.** This course aims to give a complete exposition of the rights of creditors against insolvent debtors, and the means that may be resorted to in order to make those rights effective, and includes a consideration of insolvent assignments and conveyances in fraud of creditors as well as the study of the National Bankrupt Act of 1898 and its predecessors. Williston, Cases on Bankruptcy. Professor Reeder. (Not given 1917-18.)

18. **Code Pleading.** Actions and special proceedings; the complaint, including necessary allegations, methods of statement, and prayer for relief; answers, including general and special denials, new matter, equitable defenses, counter-claims, and union of defenses; replies; demurrer. Course 5 is a prerequisite. Sunderland, Cases on Code Pleading. Professor Hamilton.

Three hours, second semester.

THIRD YEAR

19. **Conflict of Laws.** Within the limits of the subject, a comparison is made of theories and practice in different jurisdictions, both in civil matters and in criminal; and attention is given to the special aspects of interstate law in the United States. Lorenzen, Cases on the Conflict of Laws. Professor Hope. *Two hours, first semester.*

20. **Constitutional Law (Political Science 4).** Written and unwritten constitutions. The adoption and amendment of constitutions; the relations between the federal and state governments; the legislature, executive and judiciary; the states and territories; the individual and the government. Boyd, Cases on Constitutional Law, and selected cases. Professor Barnett. *Three hours, first semester.*

21. **International Law (Political Science 5).** The nature and sources of international law; the history of international law; the subjects of international law; the law of peace, the law of war and the law of neutrality. Lawrence, Principles of International Law; and Scott, Cases on International Law. Professor Barnett. *Three hours, second semester.*

22. **Law of Officers (Political Science 6).** The nature of public office; the formation and termination of the official relation; compensation of officers; exercise of official authority; liability of government for acts of officers; extraordinary legal remedies. Goodnow, Cases on the Law of Officers, and selected cases. Professor Barnett. *Three hours, first semester.*

23. **Corporations, Municipal (Political Science 7).** The nature, constitution, powers and liabilities of public corporations. Beale, Cases on Municipal Corporations. Professor Barnett. *Three hours, second semester.*

24. **Corporations, Private.** A general survey of the nature, power, and obligations of private corporations, with a consideration of the rights and duties of promoters, officers, directors and stockholders, and of the rights of creditors and others against the corporation. The manner of creating and dissolving corporations, the nature of corporate stock, the effect of ultra vires acts, the power of corporations to purchase shares of stock or to consolidate with other corporations, and the power of Congress and of the Legislature to regulate and control the acts of corporations are among the topics treated. Canfield and Wormser, Cases on Corporations. Professor Reeder. (Not given 1917-18.) *Four hours, second semester.*

25. **Partnership.** Nature of a partnership, its purpose, and members; creation of partnership; nature of partner's interest; firm name and good-will; mutual rights and duties of partners; actions between partners, at law and in equity; powers of partners; liability for acts of partners in contract and tort; general liability of partners; dissolution and notice; consequence of dissolution agreements respecting debts; distribution of assets to creditors and between partners; limited partnership. Ames, Cases on Partnership. Professor Reeder.

Two hours, second semester

26. **Property 3.** This course must be preceded by Property 1 and Equity 1. During the first semester conditional and future interests are dealt with, including reversions and remainders, executory devices, powers and the rule against perpetuities. During the second semester illegal conditions and restraints on alienation, etc., are taken up. Gray, Cases on Property, vols. 5, 6 (2d ed.). Professor Hamilton. (Not given 1917-18.)

Two hours, both semesters.

27. **Equity 3—Interpleader, Bills of Peace, Etc.** Special equitable remedies, including: interpleader; bills of peace and quia timet; cancellation of contract; clouds on title; perpetuation of testimony; rights of future enjoyment; reformation and rescission of contract for mistake. Ames, Cases on Equity Jurisdiction, vol. 2. (Not given 1917-18.) Professor Hope.

28. **Quasi-Contracts.** Under the head of quasi or constructive contracts is embraced all that very large class of obligations which, while not contractual in fact, are enforced as if they were so. They constitute largely that great mass of obligations for the enforcement of which the action of assumpsit was devised. The course includes such topics as the payment of money by mistake, duress, or fraud, and the waiver of tort. Woodruff, Cases on Quasi-Contracts. Professor Hope. (Not given in 1917-18.)

Two hours, second semester.

29. **Suretyship.** Nature of the contract of suretyship; surety's defenses against the creditor, based upon absence, extinguishment, or suspension of the liability of the principal debtor, or upon principal debtor's right of set-off or counter-claim against the creditor; surrender or loss of securities by creditor; variation of surety's risk; surety's rights; subrogation to the rights of the creditor; indemnity; contribution; exoneration; creditor's rights to surety's securities. Ames, Cases on Suretyship. Professor Hope.

Two hours, second semester.

30. **Mortgages.** All forms of mortgage security, both real and chattel; essential elements of legal and equitable mortgages; legal and equitable rights, powers and remedies of mortgagor and mortgagee with respect to title, possession, rents and profits, waste, collateral agreements, foreclosure, redemption; priorities; marshalling; extension of mortgages; assignment of mortgages; discharge of mortgages. Durfee, Cases on Mortgages. Professor Hamilton. (Not given 1917-18.)

Two hours, second semester.

31. **Oregon Practice.** Organization and jurisdiction of courts; court records and files; proceedings prior to judgment, including: services and return of summons and motions relating thereto, appearances, provisional remedies, such as attachment, arrest, etc., lis pendens, the trial, exceptions and findings, verdict; the judgment, its entry and satisfaction; proceedings subsequent to judgment, including: Stay of execution, costs, execution, motion for new trial, appellate proceedings; probate and administration proceedings; special proceedings, including writs of certiorari, mandamus, and prohibition; introduction to jurisdiction and procedure of federal courts.

Argument of cases on submitted statements of facts; briefs; preparation of opinions. (Open to advanced students.) Lord's Oregon Laws and selected Oregon cases. Mr. Bryson.

Two hours, both semesters.

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THE LAW SCHOOL

CATALOG 1917-1918
Announcements 1918-1919



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UNIVERSITY OF OREGON
EUGENE

THE LAW SCHOOL

CATALOG 1917-1918
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University Press

THE FACULTY

P. L. CAMPBELL, A. B., LL. D.
President

EDWARD WILLIAM HOPE, Ph. D.
Dean and Professor of Law

JAMES DUFF BARNETT, Ph. D.
Professor of Law

RALPH SCOTT HAMILTON, LL. B.
Professor of Law

ROBERT PATTERSON REEDER, LL. M.
Professor of Law

MR. E. R. BRYSON
Of the Lane County Bar
Lecturer on Oregon Practice and Procedure

M. H. DOUGLASS, A. M.
Librarian of the University

Assistant in the Law Library
JAMES BEMIS PFOUTS

HISTORICAL STATEMENT

The Law School of the University of Oregon was by action of the Board of Regents established as a regular School of the University on the campus at Eugene in April of 1915. Before that time, however, beginning with the fall of 1913, classes were organized here and legal instruction given by Professor Edward W. Hope, who was, during this first year, the only instructor in private law. The "case system" was adopted almost from the beginning, and courses were given in Contracts, Criminal Law, Persons and Domestic Relations, Agency, Sales of Personal Property, Bailments and Carriers, and Partnership. In 1914 a second instructor was added and the curriculum was enlarged by courses in Torts, Property, Common Law Pleading, Equity Jurisdiction, and Evidence. During both these years the regular courses in public law were given by Dr. James D. Barnett, of the Department of Political Science, who has continued and will continue to give these courses (Constitutional, Administrative, and International Law) as an important part of the work of the Law School.

In the spring of 1915 the Regents of the University authorized the addition of a third year in law, and the employment of a faculty adequate to a full three years' course. The Law School, thus established, was empowered to confer the law degrees of LL. B. and J. D. upon its graduates, and Professor Hope was appointed Dean of the first Law Faculty, consisting of Professors James D. Barnett, Walle W. Merritt, and Robert P. Reeder.

THE QUARTERS OF THE LAW SCHOOL

During the month of November, 1916, the Law School moved into the commodious quarters awarded to it on the third floor of in the new Educational Building, of which it occupies about two thirds of the floor space. This space is divided into three comfortable recitation rooms, well lighted and ventilated; the stack-room of the Law Library, where the students study in the midst of the books; and the five offices of the Law Faculty, all opening into the stack-room. The arrangements are extremely convenient, offering to all ease and quickness of reference to the books, and a quiet retreat where law students may read the law without interruption or distraction of any kind. The whole building is steam heated and modern in every respect.

THE LAW LIBRARY

The Law Library is arranged with the principal idea of offering to the students and faculty an immediate and easy access to the law books. The library is the back-bone of a law school, and no pains have been spared to make this library an ideal study place. The library is in charge of student assistants, appointed from the law student body. These men are selected on the basis of scholarship and character and receive a small yearly stipend. However, the students themselves, as men of maturer years and professional interests, maintain perfect order, and are quick to correct any breach of library etiquette. In addition to about one thousand well selected text-books, encyclopedias, digests, pamphlets and monographs bearing on the law, the Law Library now has on hand the following valuable sets: The Lawyers' Reports Annotated (old and new series); the so-called "Trinity Series," consisting of the American Decisions, American Reports, and American State Reports; American and English Cases Annotated; the American Digest complete; the American and English Encyclopedia of Law; Cyclopedias of Law and Procedure ("Cyc") Corpus Juris, as far as published; Ruling Case Law, as far as published; two sets of the Oregon Supreme Court Reports, together with several sets of Montague's Oregon Digest; Lord's Oregon Laws and Session Laws (a full set of the session laws of Oregon is kept in the general library of the University); Words and Phrases Judicially Defined, and other dictionaries; the United States Supreme Court Reports; Mitchie's U. S. Encyclopedic Digest of U. S. Reports; the United States Statutes; the Pacific Reporter and the various State Reports that precede this set; the Northeastern Reporter. The Library already contains the following important law periodicals and reviews: the American, California, Columbia, Harvard, Illinois, Michigan, Pennsylvania Law Reviews; Law Quarterly Review; Massachusetts Law Quarterly; Yale Law Journal; Central Law Journal; American Journal of International Law; Case and Comment; American Law School Review; Legal Aid Review. Others will be added later.

The study tables for students are of quartered oak, and seat about thirty. Each student has his own electric light.

PURPOSES OF THE LAW SCHOOL

The course of instruction extends through three full academic years. The Law School has practically supplanted the law office as a place of preparation for the practice of law. It is obvious that systematic instruction by experienced teachers will result

not only in a more thorough, but a more speedy, preparation for the bar, than is possible through the more desultory reading in a busy law office. The object of the school is to afford a thorough practical and scientific education in the principles of the Common and Statute Law of the United States, the English and American System of Equity Jurisdiction, and the Public Law of the United States. Later it is intended to add to this courses in the Civil Law of Rome, and in Theoretical and Comparative Jurisprudence. It is believed that students should not only be fitted as completely as possible for the actual practice of law and the conduct of public affairs, but also, stimulated toward real scholarship and research. In order to accomplish these purposes, the mere accumulation of information is subordinated to the far more important end of developing the faculties of the student and of training him in habits of legal reasoning, at the same time imparting a thorough knowledge of the law as it actually is.

The method chiefly employed is that of free discussion by the professor and students of selected cases and other authorities, with the view of arriving at the principles of law by the process of inductive reasoning.

PRESENT-DAY IMPORTANCE OF A LEGAL TRAINING

As the year 1918 begins, it finds us with our minds wholly absorbed in the war and its winning. This is right and proper. But let us not wholly forget that after all war, however huge and engulfing, is a temporary thing, and that we shall all of us have the tremendous task awaiting us when the war is over of reconstructing our national life and fitting it into a changed world. Great changes are certain to take place in our economic, political, moral and social ideas, and these new ideas must necessarily create new laws. More certain it is now than ever it was that our law will have to be re-written in large part, in order that it may embrace our expanding life. In certain fields of the law change actual or imminent is already to be seen. International law must be rebuilt to subserve the rightful interests of all nations. Law must replace arms, reason expel force. In the confederation of nations, national law will find its complement in the law of all nations. Private International Law, which regulates the dealings between private individuals of different foreign states, and is known also as the Conflict of Laws, will also suffer great change and development in the fierce competition for the markets of the world, and the increased intercourse and exchange of persons and goods. America is now and will become more and more a

"world state." Our laws must be harmonized somewhat with the laws of other nations whose trade and friendship we desire. Their laws must be studied and understood, that we may make this contact.

In our own country changes are being wrought over night. Old prejudices fall before present needs. The laws against combinations, the belief in competition, are brushed aside to make room for government regulation. Co-operation is winning over competition in the most advanced countries. The law will change to meet the new conditions. Legitimate business must be freed from all that is obsolete, cumbrous, unduly expensive and obstructive in the law. The relations of capital and labor must be ordered by just laws rather than by clashes of force. In the interest of production, to gain and hold new markets, to keep abreast of other nations, the state will take a larger hand in these disputes. The law relating to labor unions has changed much and will change far more.

The "woman movement" and the great changes in the economic condition of women have induced much change in the law of marriage and divorce. Women will demand—and should have—many more rights than have been accorded them hitherto. A determination on their part to know the law and help make it is seen in the increasing number of law schools for women, and their growing attendance in schools usually filled by men. Women will enter the legal profession more freely in the future.

In these and other fields of the law the old order is passing. The need and the opportunities for trained legal minds will be great and pressing. The world's life must be safely guided into new channels. Lawyers can best do this by recasting in the minds of legislatures and the public old legal doctrines in the light of present and future needs.

DIRECTIONS TO CANDIDATES FOR ADMISSION

Before applying for admission to the Law School, the candidate is required to present to the Dean of the Law School the Registrar's receipt for the payment of the term fee. It is essential, therefore, that a candidate for admission should apply first to the Registrar, register his name as a student in the Law School, and then pay his fees to the Treasurer. He is then entitled to apply for admission, and, in case of rejection, the money paid will be refunded by the Treasurer.

REQUIREMENTS FOR ADMISSION

Applicants for admission to the first year class must be at least nineteen; to the second year class, twenty, and to the third year class, twenty-one years of age. Special students must have qualifications to be stated hereafter. Every applicant for admission, whether as a regular or as a special or a partial student, must present a certificate of character. This may be in the form of a certificate of graduation, or of honorable dismissal from the school with which the applicant was last connected, or, in the case of special students who cannot present these, in the form of a general letter as to character.

WHEN STUDENTS MUST ENTER

Students may enter at the beginning of any term, but for students not entering upon advanced standing, a full three years of residence is required to complete the course. In any case students are expected to enroll at the opening of the session. Those who enter late necessarily lose much of the work, and absences at that time are treated like other absences in reducing the number of hours of credit that may be earned. In no event can students who present themselves more than a month after the opening of any session be permitted to work for credit toward graduation during that session.

Candidates for advanced standing must present themselves for examination one week before the opening of the Law School.

ADMISSION AS CANDIDATES FOR A DEGREE

Graduates of approved universities or colleges and students who, in addition to an academic or high school course of four years, have completed two full years (sixty semester hours) of work in an approved university or college, are admitted to the Law School as candidates for the degree. The Law School does not require any particular subjects to be selected during the necessary two years of college work, but it earnestly recommends that the subjects specified in the Pre-Legal Curriculum (hereinafter set forth) be pursued. Work of high school or academic grade taken during the college year will not be accepted as meeting the requirements of a college year. College courses in which there are unremoved conditions or other deficiencies will not be accepted.

In all cases the applicant should present to the Dean of the Law School, before the time of application, evidence that he comes within some one of the classes named. This, in the case of a university or college graduate, should be in the form of a certificate of graduation; in the case of other applicants, in the form of a certificate showing in detail the conditions of admission and the university or college work accomplished, and including an honorable dismissal signed by the proper authority.

In any case all preparatory work must be completed before entering upon law study, and no collegiate work whatever may be taken thereafter by regular students except by special permission of the Dean of the Law School.

TWO-YEAR COURSE

(Preliminary to the study of Law.)

It is a noticeable tendency of the times to require a more thorough preparation for all the professions. In none is this tendency more marked than the profession of Law. Therefore, every student who expects to enter this department is urgently recommended to secure as thorough a collegiate course as his circumstances will permit. A two-year course of studies, termed the Pre-Legal Curriculum, has been arranged for those who cannot take the full collegiate course in preparation for their professional work in law. Its purpose is to concentrate and thus conserve the student's energies by directing his efforts into fields which, while affording most valuable cultural results, will at the same time, it is thought, best prepare his mind to deal effectively with the law as student and practitioner. To this end the following course is suggested by the University under the direction of the Law School:

PRE-LEGAL CURRICULUM

First Year—

English Composition	6 hours
History (English and American).....	6 hours
Chemistry	6 hours
Mathematics	6 hours
Latin (beginners' course)	8 hours
Elementary Law (required of all law students)	3 hours
Economics	4 hours
Physical Training	

Second Year—

Latin	4 hours
Physics	6 hours
American Government	3 hours
Psychology	3 hours
French or German	8 hours
Economics	6 hours
History of Philosophy	6 hours
Logic	2 hours
Rhetoric	3 hours
Public Speaking	2 hours
Physical Training	

A selection from the above subjects should be made to the extent of at least sixteen term hours. Eighteen hours may be taken if the grades obtained warrant this privilege.

If, after completing this two-year course, the student desires further preparation in liberal arts before beginning his professional studies, he may either continue through the regular courses of the junior or senior years of the College of Arts and Sciences, or after adding another year to the Two-Year Pre-Legal Course now completed, he may enter the combined six year course in Arts and Law, with the aim of obtaining his collegiate and law degrees in six years, thus shortening by one year a period of study usually covering seven. For this third year's work the student should take additional courses in History, Natural Science, Philosophy, Political Science, Economics or Sociology, and English Literature.

COMBINED SIX-YEAR COURSE IN ARTS AND LAW

This combined course is open only to students who have maintained a uniformly good record for scholarship during the first three years of Arts and Sciences.

The student is enrolled in the College of Arts and Sciences during the first three years. If at the end of three years he has a uniformly good record for scholarship, and has earned in addition to the credits gained in the Pre-Legal Curriculum enough more to bring his total number of credits up to one hundred and forty-four, he may at the beginning of his fourth year enter the Law School forthwith for the first year's work in Law. From that time on he must devote his entire time and attention to the study of the law, and in this first year of law study he must earn at least thirty-six term hours to apply on his A. B. degree, thus making the one hundred and eighty credits required for the A. B. degree. This degree will be granted upon the satisfactory completion of the first year subjects in Law.

DEGREES

The Degree of Bachelor of Laws—

Students who have successfully completed the Two-Year Pre-Legal Curriculum of this University, or an equivalent two years of general culture study in this or another institution of recognized collegiate rank, and who have successfully completed courses in law aggregating one hundred and fifteen credits (the equivalent of three full years of professional study of law), and who have otherwise satisfied the requirements of the University and of the Law School, will be granted the degree Bachelor of Laws (LL.B.).

Special students who have maintained over the full three years of their law course at this school an average mark of S, and who by reason of exceptional ability and character are, in the opinion of the Law Faculty, deserving of this honor, may be granted the degree of Bachelor of Laws.

The Degree of Doctor of Law—

The degree of Doctor of Law (J. D.) will be granted to students who have received the degree of Bachelor of Arts, or its equivalent, from this University, or from some other institution of recognized collegiate rank, and who have satisfactorily completed courses in law aggregating one hundred and fifteen credits (the equivalent of three full years of professional study of law), and who have otherwise satisfied the requirements of the University and of the Law School. Since one year of law study may be counted toward the degree of Bachelor of Arts, the requirements for the degree of Doctor of Law may be satisfied by the successful completion of the Combined Six-Year Course in Arts and Law.

The foregoing statement as to the requirements for degrees is subject to the following rules:

1. To be a successful applicant for the degree of Doctor of Law a student must have obtained over the full three-years' law course a minimum average of S.

2. Any student who fails to obtain a minimum average of M over the full three years of his law course shall not be graduated.

3. No degree will be conferred upon any student who has not spent at least one year in resident study at this University.

REGULATIONS

To receive credit in any course in the Law School, a student must obtain a minimum grade averaging P, based upon his daily recitations and whatever examinations are given in the course, including the final examination. In estimating this average the examination will count two-thirds and the classroom work one-third. **The right to take the final examination is conditioned upon regular attendance and the maintenance of the required grade for class work.** No student may register for more than fifteen hours of law per week.

Students from other institutions entering this University upon advanced standing may take advantage of the **Combined Six-Year Course in Arts and Law**, provided they are registered in the Department of Arts and Sciences for at least one year before taking up law courses, and earn in that department at least forty-five hours before entering upon the law work.

ADMISSION OF SPECIAL STUDENTS

Persons of mature age, but whose preliminary training has not been sufficiently extensive to satisfy the requirements for admission as regular students may, in some cases, be admitted as special students. Applicants for admission under this rule must submit to the Dean recommendations as to character and evidence of the possession of general education, maturity, experience, and exceptional ability that may be considered a fair equivalent of the formal preliminary requirements made in the case of regular students.

No one should present himself for admission as a special student until he has first received from the Dean assurance that his application has been favorably acted upon. Special students will be required to pursue and complete the courses to which they are admitted with the same thoroughness as regular students. Certificates will be given to special students who have been in residence for a year, stating the subjects pursued and the standings attained. As to eligibility of special students for law degrees, see under "Degrees."

ADMISSION OF PARTIAL STUDENTS

Persons who have been enrolled for at least one year in some school or department of the university other than the Law School, and have earned therein at least forty-five credits, and who desire to study law as a preparation for business, not intending

to practice law, and not being candidates for a law degree, may pursue in the Law School, without payment of fees, not to exceed two law courses a term. During the continuance of the war freshmen may be admitted as partial students.

STATUS OF STUDENTS

(Regular, Special and Partial)

A **regular** student is one who is regularly admitted to the Law School, and who is a candidate for a degree.

A **special** student is one who is regularly admitted to the Law School, but who, not being a candidate for a degree, does not take the regular course.

A **partial** student is one who is not regularly admitted to the Law School, but who attends one or more courses.

ADMISSION TO ADVANCED STANDING

Admission to advanced standing is either upon examination or certificate from a law school of standard grade. Persons who have the necessary qualifications for admission to the Law School, and who have satisfactorily completed work in an approved law school, may, upon presentation of a certificate of scholarship and of honorable dismissal from such school, become candidates for advanced standing in this Law School to the extent of the work so completed. The certificate should show the nature of the work, the time it was pursued, the text or case books used and the grades received. Under similar conditions attorneys at law in good and regular standing from any state in which an adequate examination for admission to the bar is required may apply for one year's advanced standing (upon examination) in the Law School.

All candidates for advanced standing should secure the above-mentioned certificates of preparatory work and of legal study and send them to the Dean of the Law School before presenting themselves for admission.

EXAMINATIONS

Written examinations are held at the end of each term on the subjects completed during that term.

All students, unless excused by the Dean, must present themselves for examination in all the subjects for which they are registered at the examination held therein, and, in case of excuse from examination, must take the next examination offered in such subject. A student permitted to take a deferred examination must pay a fee of five dollars as for a deficiency examination.

No student will be admitted to the second-year class who is deficient in more than five hours of the work of the first year. No student will be admitted to the third year class who is deficient in any subject of the first year, or in more than one two-term course, or in more than two one-term courses of the second year.

No student failing in any subject will be permitted to take a second examination therein without having again taken the course in which such failure occurred, nor will any student failing a second time in any subject be allowed to continue in the Law School except by special vote of the Law Faculty.

No special examinations are given.

THE QUARTER SYSTEM

Beginning with the fall of 1917-18, the University changed from its former plan of dividing the year's work into halves or semesters, and adopted a three term system. This plan is followed by the Law School. The terms are known as the fall, winter, and spring terms, beginning respectively in 1918-19 on October 1, January 2, and April 1. Each term lasts for eleven or twelve weeks, and three terms constitute an academic year.

It is much better for beginning first-year regular students to enter at the beginning of the fall term than at any other time, for the reason that some of the most important courses begin then and continue through the following term. It would be disadvantageous or impracticable to begin in the middle of such courses. There are always some courses, however, that begin at the opening of the winter and spring terms. The same objections do not usually apply in the case of students admitted to advanced standing.

TUITION AND FEES

The tuition for all regular and special students shall be ten dollars a term. This is in addition to the annual registration fee of ten dollars, and the annual student body fee of eight dollars. All fees are payable in advance. Students permitted to register late are required to pay the full charge for tuition for the term in which they register, and in addition the fines levied in such cases by the College of Arts and Sciences.

For any deficiency examination or deferred examination a fee of five dollars for each course in which such examination is granted shall be charged, payable in each case before the examination is held.

There shall be a graduation or diploma fee of ten dollars payable to the Treasurer of the University at least twenty-five days prior to the date of graduation.

COURSES OF INSTRUCTION

The courses of instruction are arranged to present, as far as possible, the fundamental topics of the law during the first year, and the more specialized subjects during the second and third years.

The Law School has been fortunate in securing Mr. E. R. Bryson, of the Lane County Bar, to give a course of instruction throughout the year in the practical art of the advocate as it has been developed in Oregon. It cannot be brought home too often or too forcibly to the young men of Oregon that they must lose much by going outside of Oregon to study law, if they intend to practice in this state. They will lose not only the value of daily references to important Oregon decisions and statutes, familiarizing them with the substantive law of this state, but quite as important a loss and handicap will be suffered by their having deprived themselves of that skill and confidence in the preparation and trial of cases which a thorough course in the procedure and practice peculiar to Oregon would have imparted. (See Course 31.)

The curriculum extends through three years, and to secure a degree the student must complete one hundred and fifteen hours of work. No candidate for a law degree may take more than fifteen hours per week in any term, without special permission of the Dean. The work of the first year in the Law School is prescribed.

The following is a statement of the work offered in the Law School:

FIRST YEAR

1. **Contracts.** Formation of simple contracts; mutual assent; consideration; formation of contracts under seal; delivery; consideration. Parties affected by contracts; contracts for the benefit of third persons; assignment of contracts; joint obligations. The Statute of Frauds; contracts within the statute; guarantees, agreements in consideration of marriage, agreements not to be performed within a year, contracts for the sale of goods; satisfaction of the Statute. Performance of contracts: express conditions, conditions precedent and subsequent; implied conditions and effect of plaintiff's failure to perform his promise; impossibility. Illegal contracts: contracts in restraint of trade; wagers and gaming contracts; contracts obstructing the administration of justice; contracts tending to corruption. Discharge of contracts: parol

agreement to discharge; novation; release; accord and satisfaction; arbitration and award; surrender and cancellation; alteration; merger. Williston, *Cases on Contracts* (two vols.). Professor Hope.

Five hours, fall and winter terms.

2. Criminal Law and Procedure. Nature of crime; sources of criminal law; mental element in crime; intent and motive; parties in crime; crime as an act; attempts; specific crimes; crimes against the person; crimes against the dwelling house; felonious intent; jurisdiction. Beale, *Cases on Criminal Law* (2d ed.). Professor Hamilton.

Five hours, winter term.

3. Torts... Trespass to person, to real property, and to personal property; excuse for trespass; conversion; legal cause; negligence; contributory and imputed negligence; plaintiff's illegal conduct as a defense; duties of land owners; hazardous occupations; liability for animals; deceit; defamation, slander, libel, privilege, malice; malicious prosecution, criminal and civil; interference with social and business relations, including breaches of duty, fair and unfair competition, strikes, boycotts, business combinations. Ames and Smith, *Cases on Torts* (ed. 1909-1910). Professor Reeder.

Four hours, fall and winter terms.

4. Property 1. Distinction between real and personal property; acquisition of rights in personal property; gifts; bailments; liens; pledges. Real property; tenures; estates; seisin and conveyance; incidents of ownership in real property; fixtures; easements; covenants as to use; public rights; franchises; rents. Gray, *Cases on Property*, vols. 1, 2 (2d ed.). Professor Hamilton.

Four and three hours, fall and winter terms.

5 Common Law Pleading. This course consists of a general survey of the principles of common law pleading with special emphasis upon the demurrer, confession and avoidance, and the traverse, followed by a special study of the more common forms of actions, including the necessary obligations therein and the methods of pleading defenses. Whittier, *Cases on Common Law Pleading*. Professor Hamilton.

Two hours, fall and winter terms.

6. Agency. Nature of relation; appointment; liability of principal for agent's torts, contracts, crimes; liabilities of agent; parties to writings; undisclosed principal doctrines; delegation of agency; termination; ratification. Huffcut, *Cases on the Law of Agency* (2d ed.). Professor Reeder.

Four hours, spring term.

SECOND YEAR

7. **Equity 1—Contracts and Torts.** The origin, development, maxims, principles and doctrines of equity; relation between equitable rights and powers and legal rights and powers; jurisdiction, procedure and remedies of courts of equity; the equitable relations and remedies involved in obligations *ex contractu* and obligations *ex delicto* considered with respect to their interplay with the corresponding legal relations and remedies; specific performance of contracts, with emphasis on the special trust relations arising under executory contracts between vendors and purchasers of realty; specific prevention and reparation of torts; prohibitory and mandatory injunctions for such torts as waste, trespass, nuisance, infringement of patents and copyrights, interferences with business relations, violations, violations of rights of privacy. Ames, Cases in Equity Jurisdiction, vol.1. Professor Hope.

Four hours, winter term.

8. **Equity 2—Trusts.** Nature and requisites of a trust; express, resulting, and constructive trusts; charitable trusts; appointment and office of trustee; nature of cestui's interest; transfer of trust property by trustee or by cestui; cestui's interest as affected by death, marriage, or bankruptcy of trustee or cestui; duties of trustee; extinguishment of trust; removal or resignation of trustee; accounting. Ames, Cases on Trusts (2d ed.). Professor Reeder.

Four hours, spring term.

9. **Evidence.** Respective functions of judge and jury; "law and fact"; presumptions; burden of proof; judicial notice; classification of evidence; relevancy as primary test of admissibility; principles and rules relating to the following: misleading or unimportant matters, character, admissions, confession, hearsay, witnesses' opinion and expert testimony, real evidence, evidence relating to execution, contents and interpretation of writing; various rules of substantive law stated in terms of "parol evidence rule"; competency of witnesses; privilege of witnesses; examination of witnesses. Thayer, Cases on Evidence (2d ed.). Professor Hope. (Not given 1918-19.)

10. **Sales of Personal Property.** Subject matter of sale; executory and executed sales; bills of lading and *jus disponendi*; seller's lien and right of stoppage in transitu; fraud; factors' acts; warranty and remedies for breach of warranty; statute of frauds. Woodward, Cases on Sales. Professor Hope.

Five hours, spring term.

11. Public Service and Carriers. Brief survey of bailments in general. Common law duties and liabilities of those who are engaged in public service, statutory regulation of services and charges and the validity of such regulations. Common carriers of goods and passengers at common law and under federal and state legislation. Burdick, Cases on Public Service; McClain, Cases on Carriers (3d ed.). Professor Reeder.

12. Persons and Domestic Relations. Marriage; consent and capacity; marriage as a contract or relation; rights and duties; rights in property contracts, conveyances, quasi-contractual obligations; wife's estates; ante-nuptial and post-nuptial settlements; separation and divorce. Parent and child; legitimacy, adoption, custody, support; earnings of child; liability for child's torts. Guardian and ward: selection and appointment of guardians; jurisdiction to appoint; rights, duties and liabilities of guardian; maintenance of ward; domicile; care of property and investments; guardians' bonds. Infants: period of infancy; privileges and disabilities; contracts; liabilities for necessities; ratification and disaffirmance of contracts. Persons non compos mentis, and aliens. Master and servant: creation and termination of the relation; remedies for breach of contract; rights and duties inter se; master's liability for injuries to servant; negligence and assumption of risk. Kales, Cases on Persons, and Vernier, Cases on Marriage and Divorce. Professor Reeder. (Not given 1918-19).

13. Bills and Notes. This course deals with negotiable paper of all types. The law of checks, bills of exchange and notes is taken up, with a detailed discussion of: formal requisites; acceptance; indorsement; transfer; extinguishment; obligation of parties; diligence; specialty character; the effect of the negotiable instruments law. Smith and Moore, Cases on Bills and Notes. Professor Hope.

Four hours, winter term.

14. Property 2. This course continues the subject as concluded by Property 1 by which it must be preceded, and includes during the first semester a detailed study of title to land, especially in relation to possession and the subject of landlord and tenant. The following topics are considered: Nature and importance of legal possession; remedies to recover legal possession wrongfully withheld; effect of statutes of limitations; tacking of successive periods of adverse possession; "constructive" adverse possession under color of title; intent as element of title to legal possession; possession through occupation of a servant or agent;

possession through occupation of a tenant; relationship of landlord and tenant compared with rights and liberties of persons in various other relations; possession through a co-tenant's occupation; exceptions and interruptions to running of statutes of limitations. Creation of relationship of landlord and tenant; duration of tenant's interest; eviction and its effects; remedies of landlord for non-performance of tenant's obligations; remedies of tenant against landlord; covenants running with the land between landlord and tenant; rights, liberties and duties of landlord with respect to third persons; rights, liberties and duties of tenant with respect to third persons. During the second semester the course covers the acquisition of property on the death of the former owner, including consideration of gifts *causa mortis*, wills, probate, and administration. Gray, Cases on Property, vols. 3, 4, (2d ed.). Professor Hamilton. Five hours, spring term.

15. **Damages.** Respective functions of court and jury in estimating damages; exemplary, liquidated, nominal, direct, and consequential damages; avoidable consequences; counsel fees; certainty, compensation, damages for non-pecuniary injuries; value, interest; and damages in certain actions of tort and contract. Beale, Cases on Damages. Professor Hamilton.

Three hours, fall term.

16. **Insurance.** A general survey of insurance law, life, accident, fire and marine insurance, with respect to: insurable interest; concealment; misrepresentation; warranties; other causes of invalidity of contract; amount of recovery; subrogation; conditions; waiver, estoppel, election, and powers of agents; assignees and beneficiaries. Under marine and fire insurance will be included a thorough consideration of the doctrine of general average, and the standard fire policy generally adopted in the United States. Wambaugh, Cases on Insurance. (Not given 1918-19).

17. **Bankruptcy and Insolvency.** This course aims to give a complete exposition of the rights of creditors against insolvent debtors, and the means that may be resorted to in order to make those rights effective, and includes a consideration of insolvent assignments and conveyances in fraud of creditors as well as the study of the National Bankrupt Act of 1898 and its predecessors. Williston, Cases on Bankruptcy. Professor Reeder. (Not given in 1918-19).

18. Code Pleading. Actions and special proceedings; the complaint, including necessary allegations, methods of statement, and prayer for relief; answers, including general and special denials; new matter, equitable defenses, counter-claims, and union of defenses; replies, demurrer. Course 5 is a prerequisite. Sunderland, Cases on Code Pleading. Professor Hamilton.

Four hours, spring term.

THIRD YEAR

19. Conflict of Laws. Within the limits of the subject, a comparison is made of theories and practice in different jurisdictions, both in civil matters and in criminal; and attention is given to the special aspects of interstate law in the United States. Lorenzen, Cases on the Conflict of Laws. Professor Hope.

Four hours, fall term.

20. Constitutional Law (Political Science 101). Written and unwritten constitutions. The adoption and amendment of constitutions; the relations between the federal and state governments; the legislature, executive and judiciary; the states and territories; the individual and the government. McClain, Cases on Constitutional Law. Professor Barnett.

Four hours, winter term.

21. Law of Officers (Political Science 102). The nature of public office; the formation and termination of the official relation; compensation of officers; exercise of official authority; liability of government for acts of officers; extraordinary legal remedies. Goodnow, Cases on Administrative Law, and selected cases. Professor Barnett.

Four hours, spring term.

22. Corporations, Municipal (Political Science 103). The nature, constitution, powers and liabilities of public corporations. Beale, Cases on Municipal Corporations. Professor Barnett.

Four hours, winter term.

23. International Law. (Political Science 104). The nature and sources of international law; the history of international law; the subjects of international law; the law of peace, the law of war and the law of neutrality. Lawrence, Principles of International Law; and Scott, Cases on International Law. Professor Barnett.

Four hours, spring term.

24. Corporations, Private. A general survey of the nature, power and obligations of private corporations, with a consideration of the rights and duties of promoters, officers, directors and stockholders, and of the rights of creditors and others against the corporation. The manner of creating and dissolving corporations, the nature of corporate stock, the effect of ultra vires acts, the powers of corporations to purchase shares of stock or to consolidate with other corporations, and the power of Congress and of the Legislature to regulate and control the acts of corporations are among the topics treated. Canfield and Wormser, Cases on Corporations. Professor Reeder. Five hours, fall term.

25. Partnership. Nature of a partnership, its purpose, and members; creation of partnership; nature of partner's interest; firm name and good-will; mutual rights and duties of partners; actions between partners, at law and in equity; powers of partners; liability for acts of partners in contract and tort; general liability of partners; dissolution and notice; consequence of dissolution agreements respecting debts; distribution of assets to creditors and between partners; limited partnership. Ames, Cases on Partnership. Professor Reeder.

Two hours, winter and spring terms.

26. Property 3. This course must be preceded by Property 1 and Equity 1. During the first semester conditional and future interests are dealt with, including reversions and remainders, executory devises, powers and the rule against perpetuities. During the second semester illegal conditions and restraints on alienation, etc., are taken up. Gray, Cases on Property, vols. 5, 6 (2d ed.). Professor Hamilton. (Not given 1918-19.)

27. Equity 3—Interpleader, Bills of Peace, Etc. Special equitable remedies, including: interpleader; bills of peace and *quia timet*; cancellation of contract; clouds on title; perpetuation of testimony; rights of future enjoyment; reformation and rescission of contract for mistake. Ames, Cases on Equity Jurisdiction, vol. 2. (Not given 1918-19.) Professor Hope.

28. Quasi-Contracts. Under the head of quasi or constructive contracts is embraced all that very large class of obligations which, while not contractual in fact, are enforced as if they were so. They constitute largely that great mass of obligations for the enforcement of which the action of *assumpsit* was devised. The

course includes such topics as the payment of money by mistake, duress, or fraud, and the waiver of tort. Woodruff, *Cases on Quasi-Contracts*. Professor Hope.

Two hours, winter and spring terms.

29. Suretyship. Nature of the contract of suretyship; surety's defenses against the creditor, based upon absence, extinguishment, or suspension of the liability of the principal debtor, or upon principal debtor's right of set-off or counter-claim against the creditor; surrender or loss of securities by creditor; variation of surety's risk; surety's rights; subrogation to the rights of the creditor; indemnity; contribution; exoneration; creditor's rights to surety's securities. Ames, *Cases on Suretyship*. Professor Hope.

Three hours, spring term.

30. Mortgages. All forms of mortgage security, both real and chattel; essential elements of legal and equitable mortgages; legal and equitable rights, powers and remedies of mortgagor and mortgagee with respect to title, possession, rents and profits, waste, collateral agreements, foreclosure, redemption; priorities; marshalling; extension of mortgages; assignment of mortgages; discharge of mortgages. Durfee, *Cases on Mortgages*. Professor Hamilton. (Not given 1918-19.)

31. Oregon Practice. Organization and jurisdiction of courts; court records and files; proceedings prior to judgment, including: services and return of summons and motions relating thereto, appearances, provisional remedies, such as attachment, arrest, etc., *lis pendens*, the trial, exceptions and findings, verdict; the judgment, its entry and satisfaction; proceedings subsequent to judgment, including: Stay of execution, costs, execution, motion for new trial, appellate proceedings; probate and administration proceedings; special proceedings, including writs of certiorari, mandamus, and prohibition; introduction to jurisdiction and procedure of federal courts.

Argument of cases on submitted statements of facts; briefs; preparation of opinions. (Open to advanced students.) Lord's *Oregon Laws* and selected Oregon cases. Mr. Bryson.

Two hours, throughout the year.

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University of Oregon EUGENE

THE LAW SCHOOL

C A T A L O G 1918-1919

Announcements 1919-1920



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THE FACULTY

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Dean and Professor of Law

JAMES DUFF BARNETT, Ph.D.
Professor of Law

SAM BASS WARNER, A.B., LL.B.
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THOMAS ARMITAGE LARREMORE, A.B., LL.B.
Professor of Law

MR. E. R. BRYSON
Of the Lane County Bar
Lecturer on Oregon Practice and Procedure

M. H. DOUGLASS, A.M.
Librarian of the University

THE LAW SCHOOL

HISTORICAL STATEMENT

The Law School of the University of Oregon was by action of the Board of Regents established as a regular School of the University on the campus at Eugene in April of 1915, and was empowered to confer the law degrees of LL.B. and J.D. upon its graduates.

THE QUARTERS OF THE LAW SCHOOL

During the month of November, 1916, the Law School moved into quarters awarded to it on the third floor of the new Educational Building, of which it occupies about two thirds of the floor space. This space is divided into three comfortable recitation rooms, well lighted and ventilated; the stack-room of the Law Library, where the students study in the midst of the books; and the five offices of the Law Faculty, all opening into the stack-room. The arrangements are convenient, offering an easy reference to the books, and a quiet place for study. The whole building is steam heated and modern in every respect.

THE LAW LIBRARY

The Law Library is arranged with the idea of offering to the students and faculty an easy access to the books. In addition to about one thousand well selected text-books, encyclopedias, digests, etc., bearing on the law, the Law Library now has on hand the following sets: Lawyers' Reports Annotated (old and new series); American Decisions, American Reports, American State Reports; American and English Cases Annotated; a fairly complete set of the English reports; the American Digest complete; the American and English Encyclopedia of Law; Cyclopedia of Law and Procedure, Corpus Juris, as far as published; Ruling Case Law, as far as published; two sets of the Oregon Supreme Court Reports, together with several sets of Montague's Oregon Digest; Lord's Oregon Laws and Session Laws (a full set of the session laws of Oregon is kept in the general library of the University); Words and Phrases Judicially Defined, and other dictionaries; the United States Supreme Court Reports; Mitchie's U. S. Encyclopedic Digest of U. S. Reports; the United States Statutes; the Pacific Reporter and the various State Reports that precede this set; the Northeastern Reporter. (The entire National Reporter System is to be added immediately). The Library already contains the following law periodicals and reviews: the American, California, Columbia, Harvard, Illinois, Michigan, Pennsylvania Law Reviews; Law Quarterly Review; Massachusetts Law Quarterly; Yale Law Journal;

Central Law Journal; American Journal of International Law; Case and Comment; American Law School Review; Legal Aid Review. Others will be added later.

The study tables for students are of quartered oak, and seat about thirty. Each student has his own electric light.

PURPOSES OF THE LAW SCHOOL

The course of instruction extends through three full academic years. The Law School has practically supplanted the law office as a place of preparation for the practice of law. It is obvious that systematic instruction by experienced teachers will result not only in a more thorough, but a more speedy, preparation for the bar, than is possible through the more desultory reading in a busy law office. The object of the school is to afford a thorough practical and scientific education in the principles of the Common and Statute Law of the United States, the English and American System of Equity Jurisdiction, and the Public Law of the United States. Later it is intended to add to this courses in the Civil Law of Rome, and in Theoretical and Comparative Jurisprudence. It is believed that students should not only be fitted as completely as possible for the actual practice of law and the conduct of public affairs, but also stimulated toward real scholarship and research. In order to accomplish these purposes, the mere accumulation of information is subordinated to the far more important end of developing the faculties of the student and of training him in habits of legal reasoning, at the same time imparting a thorough knowledge of the law as it actually is.

The method chiefly employed is that of free discussion by the professor and students of selected cases and other authorities, with the view of arriving at the principles of law by the process of inductive reasoning.

PRESENT-DAY IMPORTANCE OF A LEGAL TRAINING

Now that the war is over we have the tremendous task of reconstructing our national life and fitting it into a changed world. Great changes are certain to take place in our economic, political, moral and social ideas, and these new ideas must necessarily create new laws. More certain it is now than ever it was that our law will have to be re-written in large part, in order that it may embrace our expanding life.

Our laws must harmonize somewhat with the laws of other nations whose trade and friendship we desire. Their laws must be studied and understood, that we may make this contact.

In our own country, rapid changes are being wrought. The laws against combinations, the belief in competition, are brushed aside to make room for government regulation. Co-operation is

winning over competition in the most advanced countries. Legitimate business must be freed from all that is obsolete, cumbrous, unduly expensive and obstructive in the law. The relations of capital and labor must be ordered by just laws rather than by clashes of force. In the interest of production, to gain and hold new markets, to keep abreast of other nations, the state will take a larger hand in these disputes.

The "woman movement" and the great changes in the economic condition of women have induced much change in the law. Women will demand many more rights than have been accorded them hitherto. A determination on their part to know the law and help make it is seen in the increasing number of law schools for women, and their growing attendance in schools usually filled by men.

WHEN STUDENTS MUST ENTER

Students may enter at the beginning of any term, but for students not entering upon advanced standing, a full three years of residence is required to complete the course. *In any case students are expected to enroll at the opening of the session. Those who enter late necessarily lose much of the work, and absences at that time are treated like other absences in reducing the number of hours of credit that may be earned. In no event can students who present themselves more than a month after the opening of any session be permitted to work for credits toward graduation during that session.*

ADMISSION AS CANDIDATES FOR A DEGREE

Graduates of approved universities or colleges and students who, in addition to an academic or high school course of four years, have completed two full years (sixty semester hours) of work in an approved university or college, are admitted to the Law School as candidates for the degree. The Law School does not require any particular subjects to be selected during the necessary two years of college work, but it *earnestly recommends* that the subjects specified in the Pre-Legal Curriculum (hereinafter set forth) be pursued. Work of high school or academic grade taken during the college year will not be accepted as meeting the requirements of a college year. College courses in which there are unremoved conditions or other deficiencies will not be accepted.

In all cases the applicant should present to the Dean of the Law School, before the time of application, evidence that he comes within some one of the classes named. This, in the case of a university or college graduate, should be in the form of a certificate of graduation; in the case of other applicants, in the form of a certificate showing in detail the conditions of admission and the university or college work accomplished, and including an honorable dismissal signed by the proper authority.

In any case all preparatory work must be completed before entering upon law study, and no collegiate work whatever may be taken thereafter by regular students except by special permission of the Dean of the Law School.

TWO-YEAR COURSE

(Preliminary to the Study of Law)

It is a noticeable tendency of the times to require a more thorough preparation for all the professions. In none is this tendency more marked than the profession of Law. Therefore, every student who expects to enter this department is urgently recommended to secure as thorough a collegiate course as his circumstances will permit. A two-year course of studies, termed the Pre-Legal Curriculum, has been arranged for those who cannot take the full collegiate course in preparation for their professional work in law. Its purpose is to concentrate and thus conserve the student's energies by directing his efforts into fields which, while affording most valuable cultural results, will at the same time, it is thought, best prepare his mind to deal effectively with the law as student and practitioner. To this end it is suggested that the student selects his studies from the following list:

PRE-LEGAL CURRICULUM

First Year—

- English Composition
- History (English and American)
- Chemistry
- Mathematics
- Latin (beginners' course)
- Elementary Law (required of all law students)
- Economics
- Physical Training

Second Year—

- Latin
- Physics
- American Government
- Psychology
- French or German
- Economics
- Logic
- History of Philosophy
- Rhetoric
- Public Speaking
- Physical Training

A selection from the above subjects should be made to the extent of at least sixteen term hours. Eighteen hours may be taken if the grades obtained warrant this privilege.

If, after completing this two-year course, the student desires further preparation in liberal arts before beginning his professional studies, he may either continue through the regular courses

of the junior or senior years of the College of Arts and Sciences, or after adding another year to the Two-Year Pre-Legal Course now completed, he may enter the combined six year course in Arts and Law, with the aim of obtaining his collegiate and law degrees in six years, thus shortening by one year a period of study usually covering seven. For this third year's work the student should take additional courses in History, Natural Science, Philosophy, Political Science, Economics or Sociology, and English Literature.

COMBINED SIX-YEAR COURSE IN ARTS AND LAW

This combined course is open only to students who have maintained a uniformly good record for scholarship during the first three years of Arts and Sciences.

The student is enrolled in the College of Arts and Sciences during the first three years. If at the end of three years he has a uniformly good record for scholarship, and has earned in addition to the credits gained in the Pre-Legal Curriculum enough more to bring this total number of credits up to one hundred and forty-four, he may, at the beginning of his fourth year enter the Law School forthwith for the first year's work in Law. From that time on he must devote his entire time and attention to the study of the law, and in his first year of law study he must earn at least thirty-six term hours to apply on his A. B. degree, thus making the one hundred and eighty credits required for the A. B. degree. This degree will be granted upon the satisfactory completion of the first year subjects in Law.

DEGREES

The Degree of Bachelor of Laws—

Students who have successfully completed the Two-Year Pre-Legal Curriculum of this University, or an equivalent two years of general culture study in this or another institution of recognized collegiate rank, and who have successfully completed courses in law aggregating one hundred and fifteen credits (the equivalent of three full years of professional study of law), and who have otherwise satisfied the requirements of the University and of the Law School, will be granted the degree of Bachelor of Laws (LL. B.).

Special students who have maintained over the full three years of their law course at this school an average mark of S, and who by reason of exceptional ability and character are, in the opinion of the Law Faculty, deserving of this honor, may be granted the degree of Bachelor of Laws.

The Degree of Doctor of Law—

The degree of Doctor of Law (J. D.) will be granted to students who have received the degree of Bachelor of Arts, or its equivalent,

from this University, or from some other institution of recognized collegiate rank, and who have satisfactorily completed courses in law aggregating one hundred and fifteen credits (the equivalent of three full years of professional study of law), and who have otherwise satisfied the requirements of the University and of the Law School. Since one year of law study may be counted toward the degree of Bachelor of Arts, the requirements for the degree of Doctor of Law may be satisfied by the successful completion of the Combined Six-Year Course in Arts and Law.

The foregoing statement as to the requirements for degrees is subject to the following rules:

1. To be a successful applicant for the degree of Doctor of Law a student must have obtained over the full three-years' law course a minimum average of S.
2. Any student who fails to obtain a minimum average of M over the full three years of his law course shall not be graduated.
3. No degree will be conferred upon any student who has not spent at least one year in resident study at this University.

REGULATIONS

To receive credit in any course in the Law School, a student must obtain a minimum grade averaging P, based upon his daily recitations and whatever examinations are given in the course, including the final examination, *The right to take the final examination is conditioned upon regular attendance and the maintenance of the required grade for class work.* No student may register for more than fifteen hours of law per week.

Students from other institutions entering this University upon advanced standing may take advantage of the *Combined Six-Year Course in Arts and Law*, provided they are registered in the Department of Arts and Sciences for at least one year before taking up law courses, and earn in that department at least forty-five hours before entering upon the law work.

ADMISSION OF SPECIAL STUDENTS

Persons of mature age, but whose preliminary training has not been sufficiently extensive to satisfy the requirements for admission as regular students may, in some cases, be admitted as special students. Applicants for admission under this rule must submit to the Dean recommendations as to character and evidence of the possession of general education, maturity, experience, and exceptional ability that may be considered a fair equivalent of the formal preliminary requirements made in the case of regular students.

No one should present himself for admission as a special student until he has first received from the Dean assurance that his application has been favorably acted upon. Special students will be

required to pursue and complete the courses to which they are admitted with the same thoroughness as regular students. Certificates will be given to special students who have been in residence for a year, stating the subjects pursued and the standings attained. As to eligibility of special students for law degrees, see under "Degrees."

ADMISSION OF PARTIAL STUDENTS

Persons who have been admitted to the University and who desire to study law as a preparation for business, may pursue in the Law School, without payment of additional fees, not to exceed one law course a term.

STATUS OF STUDENTS

(Regular, Special and Partial)

A *regular* student is one who is regularly admitted to the Law School, and who is a candidate for a degree.

A *special* student is one who is regularly admitted to the Law School, but who, not being a candidate for a degree, does not take the regular course.

A *partial* student is one who is not regularly admitted to the Law School, but who attends one course.

ADMISSION TO ADVANCED STANDING

Admission to advanced standing is either upon examination or certificate from a law school of standard grade. Persons who have the necessary qualifications for admission to the Law School, and who have satisfactorily completed work in an approved law school, may, upon presentation of a certificate of scholarship and of honorable dismissal from such school, become candidates for advanced standing in this Law School to the extent of the work so completed. The certificate should show the nature of the work, the time it was pursued, the text or case books used and the grades received. Under similar conditions attorneys at law in good and regular standing from any state in which an adequate examination for admission to the bar is required may apply for one year's advanced standing (upon examination) in the Law School.

All candidates for advanced standing should secure the above-mentioned certificates of preparatory work and legal study and send them to the Dean of the Law School before presenting themselves for admission.

EXAMINATIONS

Written examinations are held at the end of each term on the subjects completed during that term.

All students, unless excused by the Dean, must present themselves for examination in all the subjects for which they are registered at the examination held therein, and, in case of excuse

from examination, must take the next examination offered in such subject. *A student permitted to take a deferred examination must pay a fee of five dollars as for a deficiency examination.*

No student will be admitted to the second-year class who is deficient in more than five hours of the work of the first year. No student will be admitted to the third year class who is deficient in any subject of the first year, or in more than one two-term course, or in more than two one-term courses of the second year.

No student failing in any subject will be permitted to take a second examination therein without having again taken the course in which such failure occurred, nor will any student failing a second time in any subject be allowed to continue in the Law School except by special vote of the Law Faculty.

No special examinations are given.

THE QUARTER SYSTEM

Beginning with the fall of 1917-18, the University changed from its former plan of dividing the year's work into halves or semesters, and adopted a three term system. This plan is followed by the Law School. The terms are known as the fall, winter, and spring terms, beginning respectively in 1919-20 on October 1, January 2, and April 5. Each term lasts for eleven or twelve weeks, and three terms constitute an academic year.

It is much better for beginning first-year regular students to enter at the beginning of the fall term than at any other time, for the reason that some of the most important courses begin then and continue through the following term. It would be disadvantageous or impracticable to begin in the middle of such courses. There are always some courses, however, that begin at the opening of the winter and spring terms. The same objections do not usually apply in the case of students admitted to advanced standing.

TUITION AND FEES

The tuition for all regular and special students shall be ten dollars a term. This is in addition to the annual registration fee of \$17.50, and the annual student body fee of \$8.00. All fees are payable in advance. Students permitted to register late are required to pay the full charge for tuition for the term in which they register, and in addition the fines levied in such cases by the College of Arts and Sciences.

For any deficiency examination or deferred examination a fee of five dollars for each course in which such examination is granted shall be charged, payable in each case before the examination is held.

There shall be a graduation or diploma fee of ten dollars, payable to the Comptroller of the University prior to the date of graduation.

Courses of Instruction

The courses of instruction are arranged to present, as far as possible, the fundamental topics of the law during the first year, and the more specialized subjects during the second and third years.

It cannot be brought home too often or too forcibly to the young men of Oregon that they must lose much by going outside of Oregon to study law, if they intend to practice in this state. They will lose not only the value of daily references to important Oregon decisions and statutes, familiarizing them with the substantive law of this state, but quite as important a loss and handicap will be suffered by their having deprived themselves of that skill and confidence in the preparation and trial of cases which a thorough course in the procedure and practice peculiar to Oregon would have imparted. (See Course 29.)

The following schedule is subject to change:

FIRST YEAR

(All first year courses are open to freshmen partial students)

1. **Contracts**—Formation of simple contracts; mutual assent; consideration; formation of contracts under seal; delivery; consideration. Parties affected by contracts; contracts for the benefit of third persons; assignment of contracts; joint obligations. The Statute of Frauds; contracts within the statute; guarantees, agreements in consideration of marriage, agreements not to be performed within a year, contracts for the sale of goods; satisfaction of the Statute. Performance of contracts: express conditions, conditions precedent and subsequent; implied conditions and effect of plaintiff's failure to perform his promise; impossibility. Illegal contracts; contracts in restraint of trade; wagers and gaming contracts; contracts obstructing the administration of justice; contracts tending to corruption. Discharge of contracts: parol agreement to discharge; novation; release; accord and satisfaction; arbitration and award; surrender and cancellation; alteration; merger. Williston, Cases on Contracts (two vols.). Professor HOPE.

Three hours throughout year.

2. **Criminal Law**—Nature of crime; source of criminal law; mental element in crime; intent and motive; parties in crime; crime as an act; attempts; specific crimes; crimes against the person; crimes against the dwelling house; felonious intent; jurisdiction. Beale, Cases on Criminal Law (2d ed.). Professor LARREMORE.

Three hours, fall term.

3. **Torts**—Trespass to persons, to real property, and to personal property; excuse for trespass; conversion; legal cause; negligence contributory and imputed negligence; plaintiff's illegal conduct as a defense; duties of land owners; hazardous occupations: liability for animals; deceit; defamation, slander, libel, privilege, malice, malicious prosecution, criminal and civil; interference with social and business relations, including breaches of duty, fair and unfair competition, strikes, boycotts, business combinations. Ames and Smith, Cases on Torts (ed. 1909-1910). Professor WARNER.

Three hours, fall and winter terms.

4. **Property 1.** Distinction between real and personal property; acquisition of rights in personal property; gifts; bailments; liens; pledges. Real property; tenures; estates; seisin and conveyance; incidents of ownership in real property; fixtures; easements; covenants as to use; public rights; franchises; rents. Gray Cases on Property, vols. 1, 2 (2d ed.). Professor LARREMORE.

Three hours, winter and spring terms.

5. **Civil Procedure at Common Law**—This course consists of a general survey of the principles of common law and code pleading with special emphasis upon the demurrer, confession and avoidance, and the traverse, followed by a special study of the more common forms of action, including the necessary obligations therein and the methods of pleading defenses. Scott, Cases on Civil Procedure. Professor WARNER.

Three hours, fall and winter terms.

6. **Agency**—Nature of relation; appointment; liability of principal for agent's torts, contracts, crimes; liabilities of agent; parties to writings; undisclosed principal doctrines; delegation of agency; termination; ratification. Huffcut, Cases on the Law of Agency (2d ed.). Professor LARREMORE. *Three hours, spring term.*

7. **Principles of Liability**—A study of liability, causation and negligence, with special emphasis upon these principles as applied in damage suits. Beale, Cases on Legal Liability. Professor WARNER.

Three hours, spring term.

SECOND YEAR

8. **Equity 1—Contracts and Torts**—The origin, development, maxims, principles and doctrines of equity; relation between equitable rights and powers and legal rights and powers; jurisdiction, procedure and remedies of courts of equity; the equitable relations and remedies involved in obligations *ex contractu* and obligations *ex delicto* considered with respect to their interplay with the corresponding legal relations and remedies; specific performance of contracts,

with emphasis on the special trust relations arising under executory contracts between vendors and purchasers of realty; specific prevention and reparation of torts; prohibitory and mandatory injunctions for such torts as waste, trespass, nuisance, infringement of patents and copyrights, interference with business relations, violations, violations of rights of privacy. Ames, *Cases in Equity Jurisdiction*, vol. 1. Professor HOPE. *Four hours, spring term.*

9. **Equity 2—Trusts**—Nature and requisites of a trust; express, resulting, and constructive trusts; charitable trusts; appointment and office of trustee; nature of cestui's interest; transfer of trust property by trustee or by cestui's; cestui's interest as affected by death, marriage, or bankruptcy of trustee or cestui; duties of trustee; extinguishment of trust; removal or resignation of trustee; accounting. Scott, *Cases on Trusts*. PROFESSOR WARNER.

Three hours, fall and winter terms.

10. **Evidence**.—Respective functions of judge and jury; "law and fact"; presumptions; burden of proof; judicial notice; classification of evidence, relevancy as primary test of admissibility; principles and rules relating to the following; misleading or unimportant matters, character, admissions, confession, hearsay, witnesses' opinion and expert testimony, real evidence, evidence relating to execution, contents and interpretation of writing; various rules of substantive law stated in terms of "parol evidence rule"; competency of witnesses; privilege of witnesses; examination of witnesses. Thayer, *Cases on Evidence* (2d ed.). Professor HOPE.

Three hours, fall and winter terms.

11. **Sales of Personal Property**—Subject matter of sale; executory and executed sales; bills of lading and *jus disponendi*; seller's lien and right of stoppage in transitu, fraud; factors' acts; warranty and remedies for breach of warranty; statute of fraud. Woodward, *Cases on Sales*. Professor HOPE. *Three hours, fall and winter terms.*

12. **Persons and Domestic Relations**—Marriage; consent and capacity; marriage as a contract or relation; rights and duties; rights in property; contracts, conveyances, quasi-contractual obligations; wife's estates; ante-nuptial and post-nuptial settlements; separation and divorce. Parent and child; legitimacy, adoption, custody, support; earnings of child; liability for child's torts. Guardian and ward; selection and appointment of guardians; jurisdiction to appoint; rights, duties and liabilities of guardian; maintenance of ward; domicile; care of property and investments; guardians' bonds. Infants: period of infancy; privileges and disabilities; contracts; liabilities for necessities; ratification and disaffirmance of con-

tracts. Persons non compos mentis, and aliens. Master and servant: creation and termination of the relation; remedies for breach of contract; rights and duties inter se; master's liability for injuries to servant; negligence and assumption of risk. Kales, Cases on Persons, and Vernier, Cases on Marriage and Divorce. (Not given 1919-20).

13. Bills and Notes—This course deals with negotiable paper of all types. The law of checks, bills of exchange and notes is taken up, with a detailed discussion of: formal requisites; acceptance; indorsement; transfer; extinguishment; obligation of parties; diligence; specialty character; the effect of the negotiable instruments law. Smith and Moore, Cases on Bills and Notes. Professor HOPE.

Four hours, spring term.

14. Property 2—This course continues the subject as concluded by Property 1 by which it must be preceded, and includes during the first term a detailed study of title to land, especially in relation to possession and the subject of landlord and tenant. The following topics are considered: Nature and importance of legal possession; remedies to recover legal possession wrongfully withheld; effect of statutes of limitations; tacking of successive periods of adverse possession; "constructive" adverse possession under color of title; intent as element of title to legal possession; possession through occupation of a servant or agent; possession through occupation of a tenant; relationship of landlord and tenant compared with rights and liberties of persons in various other relations; possession through a co-tenant's occupation; exceptions and interruptions to running of statutes of limitations. Creation of relationship of landlord and tenant; duration of tenant's interest; eviction and its effects; remedies of landlord for non-performance of tenant's obligations; remedies of tenant against landlord; covenants running with the land between landlord and tenant; rights, liberties and duties of landlord with respect to third persons; rights, liberties and duties of tenant with respect to third persons. During the second term the course covers the acquisition of property on the death of the former owner, including consideration of gifts *causa mortis*, wills, probate, and administration. Gray, Cases on Property, vols. 3, 4, (2d ed.). Professor LARREMORE.

Three hours, fall and winter terms.

15. Damages—Respective functions of court and jury in estimating damages; exemplary, liquidated, nominal, direct, and consequential damages; avoidable consequences; counsel fees; certainty, compensation, damages for non-pecuniary injuries; value, interest; and damages in certain actions of tort and contract. Beale, Cases on Damages. Professor LARREMORE. (Not given in 1919-20).

16. Insurance—A general survey of insurance law, life, accident, fire and marine insurance, with respect to: insurable interest; concealment; misrepresentation; warranties; other causes of invalidity of contract; amount of recovery; subrogation; conditions; waiver, estoppel, election, and powers of agents; assignees and beneficiaries. Under marine and fire insurance will be included a thorough consideration of the doctrine of general average, and the standard fire policy generally adopted in the United States. Wambaugh, Cases on Insurance. (Not given 1919-20).

17. Bankruptcy and Insolvency—This course aims to give a complete exposition of the rights of creditors against insolvent debtors, and the means that may be resorted to in order to make those rights effective, and includes a consideration of insolvent assignments and conveyances in fraud of creditors as well as the study of the National Bankrupt Act of 1898 and its predecessors. Williston, Cases on Bankruptcy. Professor WARNER. *Four hours, spring term.*

THIRD YEAR

18 Conflict of Laws—Within the limits of the subject, a comparison is made of theories and practice in different jurisdictions, both in civil matters and in criminal; and attention is given to the special aspects of interstate law in the United States. Lorenzen, Cases on the Conflict of Laws. Professor LARREMORE.

Four hours, spring term.

19. Constitutional Law (Political Science 101)—Written and unwritten constitutions. The adoption and amendment of constitutions; the relations between the federal and state governments; the legislature, executive and judiciary; the states and territories; the individual and the government. McClain, Cases on Constitutional Law. Professor BARNETT.

Four hours, fall term.

20. Law of Officers (Political Science 102)—The nature of public office; the formation and termination of the official relation; compensation of officers; exercise of official authority; liability of government for acts of officers; extraordinary legal remedies. Goodnow, Cases on Administrative Law, and selected cases. Professor BARNETT.

Four hours, winter term.

21. Corporations, Municipal (Political Science 103)—The nature, constitution, powers and liabilities of public corporations. Beale, Cases on Municipal Corporations. Professor BARNETT.

Four hours, winter term.

22. International Law. (Political Science 104)—The nature and sources of international law; the history of international law; the subjects of international law; the law of peace, the law of war and the law of neutrality. Lawrence, Principles of International Law; and Scott, Cases on International Law. Professor BARNETT.

Four hours, spring term.

23. Corporations, Private—A general survey of the nature, power and obligations of private corporations, with a consideration of the rights and duties of promoters, officers, directors and stockholders, and of the rights of creditors and others against the corporation. The manner of creating and dissolving corporations, the nature of corporate stock, the effect of ultra vires acts, the powers of corporations to purchase shares of stock or to consolidate with other corporations, and the power of Congress and of the Legislature to regulate and control the acts of corporations are among the topics treated. Warren, Cases on Corporations. Professor WARNER.

Three hours, fall and winter terms.

24. Partnership—Nature of a partnership, its purpose, and members; creation of partnership; nature of partner's interest; firm name and good-will; mutual rights and duties of partners; actions between partners, at law and in equity; powers of partners; liability for acts of partners in contract and tort; general liability of partners; dissolution and notice; consequence of dissolution agreement respecting debts; distribution of assets to creditors and between partners; limited partnership. Ames, Cases on Partnership. Professor LARREMORE. (Not given 1919-20).

25. Public Service and Carriers—Brief survey of bailments in general. Common law duties and liabilities of those who are engaged in public service; statutory regulation of services and charges and the validity of such regulations. Common carriers of goods and passengers at common law and under federal and state legislation. Burdick, Cases on Public Service; Green, Cases on Carriers. Professor WARNER.

Three hours, fall term.

26. Quasi-Contracts—Under the head of quasi or constructive contracts is embraced all that very large class of obligations which, while not contractual in fact, are enforced as if they were so. They constitute largely that great mass of obligations for the enforcement of which the action of assumpsit was devised. The course includes such topics as the payment of money by mistake, duress, or fraud, and the waiver of tort. Woodruff, Cases on Quasi-Contracts. Professor HOPE. (Not given 1919-20).

27. Suretyship—Nature of the contract of suretyship; surety's defenses against the creditors, based upon absence, extinguishment, or suspension of the liability of the principal debtor, or upon principal debtor's right of set-off or counter-claim against the creditor; surrender or loss of securities by creditor; variation of surety's risk; surety's rights; subrogation to the rights of the creditor; indemnity; contribution; exoneration; creditor's rights to surety's securities. Ames, Cases on Suretyship. Professor HOPE. (Not given 1919-20).

28. Mortgages—All forms of mortgage security, both real and chattel; essential elements of legal and equitable mortgages; legal and equitable rights, powers and remedies of mortgagor and mortgagee with respect to title, possession, rents and profits, waste, collateral agreements, foreclosure; redemption; priorities; marshalling; extension of mortgages; assignment of mortgages; discharge of mortgages. Durfee, Cases on Mortgages. Professor LARREMORE. (Not given 1919-20).

29. Oregon Practice—Organization and jurisdiction of courts; court records and files; proceedings prior to judgment, including: services and return of summons and motions relating thereto, appearances, provisional remedies, such as attachment, arrest, etc., lis pendens, the trial, exceptions and findings, verdict; the judgment, its entry and satisfaction; proceedings subsequent to judgment, including: Stay of execution, costs, execution, motion for new trial, appellate proceedings; probate and administration proceedings; special proceedings, including writs of certiorari, mandamus and prohibition; introduction to jurisdiction and procedure of federal courts. Mr. BRYSON.
Two hours, throughout the year.

30. Moot Court—During the first year all students taking law courses with a view to practicing law are required at frequent intervals to argue cases on submitted statements of fact, before their fellow students and members of the law faculty.

One hour, throughout year.

